

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	Case No.: CR13-5308BHS
)	
Plaintiff,)	
vs.)	AGREED ORDER POSTPONING TRIAL
)	UNTIL WEDNESDAY, OCTOBER 9,
RAY EUGENE CALDWELL,)	2013
)	
Defendant.)	
)	
)	

Before this Court is a stipulated motion to postpone the trial in the above captioned matter to Wednesday, October 9, 2013. The government stipulating to said postponement, the Court finds, after a consideration of all relevant information and the circumstances of this case, that without this postponement the defendant will be prejudiced and the ability to properly prepare for trial would be impaired. Failure to grant a postponement under these circumstances would result in a miscarriage of justice. The ends of justice would best be served by the granting of the motion for postponement. The ends of justice outweigh the best interests of the public and the defendant in having the matter continue sooner. For these reasons, the Court finds the stipulated motion for postponement should be granted. The trial is hereby postponed. Trial shall resume on Wednesday, October 9, 2013 at 9:00 a.m.

IT IS SO ORDERED.

DONE COURT this 30th day of September, 2013.



BENJAMIN H. SETTLE
United States District Judge

1 Presented by:

2 HESTER LAW GROUP, INC., P.S.
3 Attorneys for Defendant

4 /s/ **Wayne C. Fricke**

5 By: _____
6 Wayne C. Fricke
7 WSB #16550

8 U.S. ATTORNEY'S OFFICE

9 ***Approved Via E-Mail: 9/30/2013***

10 By: _____
11 James D. Oesterle
12 Assistant U.S. Attorney

13 CERTIFICATE OF SERVICE

14 I hereby certify that on September 30th, 2013, I electronically filed the foregoing Agreed
15 Order Postponing Trial with the Clerk of the Court using the CM/ECF system which will send
16 notification of such filing to the following:

17 James D. Oesterle
18 Assistant U.S. Attorney
19 700 Stewart Street, Suite 5220
20 Seattle, WA 98101

21 I hereby certify that on September 30th, 2013, I e-mailed the Agreed Order Postponing
22 Trial to the following:

23 Ray E. Caldwell
24 2446 Mulberry Ave.
25 Longview, WA 98632

26 DATED this 30th day of September, 2013.

27 /s/ **Sarah M. Heckman**

Sarah M. Heckman